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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/333,421 | 06/15/1999 | MARK BAKER | 5181-31400 | 4120 |

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EXAMINER

HOANG, PHUONG N

ART UNIT

PAPER NUMBER

2126

DATE MAILED: 05/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|---|------------------------------------|--|
| Office Action Summary | Application No. 09/333,421 | Applicant(s) BAKER, MARK | |
| | Examiner Phuong N. Hoang | Art Unit 2126 | |
| | -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -- | | |

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 26 February 2004.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1 - 13 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1 - 13 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The ^{replacement} drawing(s) filed on 26 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6) <input type="checkbox"/> Other: _____ |
|---|--|

DETAILED ACTION

1. Claims 1 – 10 are pending for examination. Claims 11 – 13 are added for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. **Claims 1 – 5, 8 are rejected under 35 U.S.C. 102(a) as being anticipated by Jini “Jin Architecture Specification” pages 1 – 22.**

4. Jini reference was cited in the last office action.

5. **As to claim 1**, Jini teaches a system for creating persistent references to data sources comprising the steps of:

a small footprint device (Jini technology-enabled device, page 3 second paragraph), wherein the small footprint device includes a processing unit (processing power, page 3) and system memory (memory, page 3);

a software framework (lookup service, page 6) stored in the system memory, wherein the software framework supports program modules (discovery and join, page 6 last paragraph, 12 section 2.3.1 and 13), wherein the program modules implement computing services;

a first computing service implemented by one or more of the program modules, wherein the first computing service is operable to create a persistent reference to a data source in response to a user selecting the data source (service is added to a lookup service when a client or user needs to locate and invoke a service, page 6 section 2.1.2 and page 13).

a second computing service implemented by one or more of the program modules, wherein the second computing service is operable to access the data source using the persistent reference (services must be able to find, page 14).

6. **As to claim 2**, Jini teaches the steps of an activation framework operable to create an entity encapsulating (encapsulate other naming or directory services, page 6 section 2.1.2) the data source; wherein the persistent reference created by first computing service references the entity encapsulating the data source.

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7. **As to claim 3**, Jini teaches the step of wherein the activation framework is further operable to invoke the second computing service to perform an operation on the data source (Jini system consists of services may make use of other services, page 6 first paragraph)

8. **As to claim 4**, Jini teaches the step of framework is the JavaBean Activation Framework (Javabean, page 9 fig. 1 and page 10).

9. **As to claim 5**, Jini teaches the step of wherein the software framework requires less than 3 kilobytes of memory (some memory, page 3 second paragraph).

10. **As to claim 8**, Jini teaches the step of wherein the small footprint device comprises less than 2 megabytes of memory (some memory, page 3 second paragraph).

11. **Claim 1 is rejected under 35 U.S.C. 102(a) as being anticipated by Waldo, US patent no. 6,185,611.**

12. Waldo reference was cited in the last office action.

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13. **As to claim 1**, Waldo teaches a system for creating persistent references to data sources comprising the steps of:

a small footprint device (devices, col. 4 lines 40 – 64), wherein the small footprint device includes a processing unit (CPU 206, col. 5 lines 10 – 20) and system memory (memory 202, col. 5 lines 10 – 20);

a software framework (lookup service 212, col. 4 lines 40 – 64 and col. 5 lines 48 - 59) stored in the system memory, wherein the software framework supports program modules (objects, col. 5 lines 48 - 59), wherein the program modules implement computing services;

a first computing service implemented by one or more of the program modules, wherein the first computing service is operable to create a persistent reference to a data source in response to a user selecting the data source (the discovery server 214 receives the reference from a client and passes it to the lookup service so that the device may register its services with the lookup service and become a member of the Djinn, col. 5 lines 48 – col. 6 line 5 and col. 10 lines 60 – 67);

a second computing service implemented by one or more of the program modules, wherein the second computing service is operable to access the data source using the persistent reference (the client is able to access the service, col. 10 lines 60 – 67).

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14. Claims 6, 7, 9, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable by Jini "Jin Architecture Specification" pages 1 – 22 in view of Schloss, US patent no. 6,249,844.

15. Schloss reference was cited in the last office action.

16. **As to claims 6 and 7**, Jini does not teach the step of wherein the small footprint device is a small footprint device from the group consisting of: personal data assistant (PDA), cellular phone, global positioning system (GPS) receiver, and set-top box.

Schloss teaches the step of wherein the small footprint device is a small footprint device consisting of cellular phone (smart phone, col. 1 lines 18 – 25), and set-top box, (set-top box, col. 1 lines 18 – 25).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Jini and Schloss's system because Schloss's cellular phone would be a good choice of footprint devices.

17. **As to claim 9**, Jini does not explicitly teach the step of wherein the small footprint device comprises a display screen smaller than twenty square inches.

Schloss teaches the step of a small footprint device comprises a display screen smaller than twenty square inches (inherent with a smart phone, col. 1 lines 18 – 25).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Jini and Schloss's system because Schloss's little monitor is easily for carrying.

18. **As to claim 10**, Jini does not teach the step of wherein the small footprint device is exclusively battery operated.

Schloss teaches the step of the small footprint device is exclusively battery operated (battery, col. 10 lines 15 – 25).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Jini and Schloss's system because Schloss's battery operation is easily carrying and use.

Claim Rejections - 35 USC § 103

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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20. Claims 11 – 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jini “Jin Architecture Specification” pages 1 – 22 in view of Scholoss, US patent no. 6,249,844, and further in view of Baker, US patent no. 6,430,599.

21. As to claim 11, Jini and Scholoss do not teach the step of the data source is an email.

Baker teaches the service is email (email service, col. 9 lines 45 – 62).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Jini, Schloss, and Baker’s system because Baker’s email service would contribute a variety of services to the lookup service and it’s a popular service nowadays.

22. As to claim 12, Baker teaches the data source is a web page (web service, col. 9 lines 15 – 30).

23. As to claim 13, Baker teaches the data source is an appointment entry (the lookup service may operate a contact list service, col. 9 lines 15 – 25).

Response to Arguments

24. Applicant's arguments filed on 2/26/04 have been fully considered but they are not persuasive.

25. Applicant argued in substance that

(1). Jini reference does not teach a first computing service is operable to create a persistence reference to a data source in response to a user selecting the data source.

(2). Waldo reference does not teach a first computing service is operable to create a persistence reference to a data source in response to a user selecting the data source.

26. Examiner respectfully disagrees with applicant remarks.

As to point 1, Jini teaches a first computing service is operable to create a persistence reference to a data source in response to a user selecting the data source in response to a user selecting the data source (lookup service, containing data source which are services, has ability to add a service to it when a client or user needs to locate and invoke a service; it is known as discovery and join, page 6 section 2.1.2 and page 13).

As to point 2, Waldo teaches a first computing service is operable to create a persistence reference to a data source in response to a user selecting the data source

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in response to a user selecting the data source (the discovery server 214 receives the reference from a client and passes it to the lookup service so that the device may register its services with the lookup service and become a member of the Djinn, col. 5 lines 48 – col. 6 line 5 and col. 10 lines 60 – 67).

Conclusion

27. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong N. Hoang whose telephone number is (703)

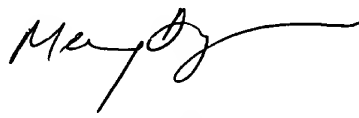
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605-4239. The examiner can normally be reached on Monday - Friday 9:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703)305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ph
May 3, 2004



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